

OLC 78-2486/a

Washington, D.C. 20505

SEP 1978

78-0257

Honorable Richardson Preyer, Chairman  
Subcommittee on Government Information  
and Individual Rights  
Committee on Government Operations  
House of Representatives  
Washington, D. C. 20515

Dear Mr. Chairman:

This is in further regard to your inquiry concerning the effect of the decision in Weissman v. CIA on this Agency's investigative program.

In our earlier response, we indicated that the scope of the Weissman decision and its impact upon the Agency's investigative practices were under review by the Office of General Counsel and the Department of Justice. During that review Executive Order 12036 was issued. Section 2-208 of the Order limits the collection, storage and dissemination of nonpublicly available information concerning U.S. persons to certain enumerated categories of information, and specifies that such activity must be carried out in accordance with procedures approved by the Attorney General.

We are currently working with the Department of Justice on procedures under Section 2-208, which for CIA will reflect the requirements of the Weissman decision. We will provide you with a copy of the procedures as soon as they have been made final and approved by the Attorney General. In the interim we have revised Agency Headquarters Regulation 7-1, "Restrictions on Intelligence Activities," to reflect our understanding of the Weissman decision.

The enclosed answers are in response to the questions you originally posed concerning the Weissman decision. I want to assure you that any investigation of a U.S. person now undertaken by the Central Intelligence Agency is in accordance with the Weissman decision as well as with other applicable law and executive orders.

Yours sincerely,

for Frank C. Carlucci

STANSFIELD TURNER

Enclosure

Washington, D.C. 20505

*Ind (Weissman)*

18 SEP 1978

28-6357

Honorable Richardson Preyer, Chairman  
Subcommittee on Government Information  
and Individual Rights  
Committee on Government Operations  
House of Representatives  
Washington, D. C. 20515

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*/s/* Frank C. Carlucci

*for* STANSFIELD TURNER

Enclosure